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10 **UNITED STATES DISTRICT COURT**
 11 **DISTRICT OF NEVADA**

12 JAMES EDWARD SCOTT, III,

Case No. 3:23-cv-00273-ART-CLB

13 Plaintiff,

14 v.

15 DR. HALKI, *et al.*,

16 Defendant.

**ORDER GRANTING
 DEFENDANTS' MOTION FOR
 EXTENSION OF TIME TO FILE
 MOTION FOR SUMMARY
 JUDGMENT
 (First Request)**

17 Defendants John Halki, M.D., Lorenzo Villegas, Melissa Mitchell, and Gaylene
 18 Fukagawa, by and through counsel, Aaron D. Ford, Nevada Attorney General, and Kyle L.
 19 Hill, Deputy Attorney General, hereby move this Court for an extension of time to file a
 20 Motion for Summary Judgment. This is the first request to extend the subject deadline.

21 **MEMORANDUM OF POINTS AND AUTHORITIES**

22 **I. FACTUAL ANALYSIS**

23 This is a *pro se* prisoner 42 U.S.C. § 1983 civil rights claim brought by offender,
 24 James Scott (Scott). On October 2, 2024, this Court entered a scheduling order with a
 25 discovery deadline of March 31, 2025, and a dispositive motion deadline of April 30, 2025.
 26 ECF No. 23.

27 Counsel for Defendants has been diligently working on this matter, but does not
 28 believe the Motion will be ready to file by the currently scheduled deadline. Further, the

1 dispositive motion deadline in USDC Case No. 3:23-cv-00257-ART-CLB is also April 30,
 2 2025, and counsel has been attempting to work on both motions to have ready to file.
 3 Unfortunately, counsel does not believe either will be ready to file by April 30, 2025.

4 As such, Defendants now file a Motion for Extension of Time to File Motion for
 5 Summary Judgment (First Request) and request an additional forty (40) days to file their
 6 summary judgment motion in this matter.¹

7 **II. ARGUMENT**

8 Defense counsel respectfully requests a forty (40) day extension of time to file
 9 Defendants' dispositive motion from the current deadline of April 30, 2025, until June 9,
 10 2025. Defense Counsel has been diligently working on this matter, however, due to an
 11 increased workload over the past several weeks, counsel does not believe the motion in this
 12 matter will be ready to file by April 30, 2025. Counsel needs additional time in order to
 13 properly brief the matter and ensure it is adjudicated on the merits.

14 **A. Current Deadlines**

15 Dispositive motion deadline: April 30, 2025

16 Joint pretrial order (if no dispositive motions filed): May 30, 2025

17 **B. Proposed Deadlines**

18 Dispositive motion deadline: June 9, 2025

19 Joint pretrial order (if no dispositive motions filed): July 9, 2025

20 **C. Good Cause Supports this Request**

21 Federal Rule of Civil Procedure 16(b) allows parties to request extensions of
 22 deadlines set in the Court's scheduling order. Defense Counsel believes staggering the
 23 dispositive motion deadlines in this and another matter where the scheduling order issued
 24 on the same day would be in the interest of all parties and would further serve the interests
 25 of judicial economy. Additionally, counsel for Defendants needs additional time due to an

26 ¹ The Defendants in USDC 3:23-cv-00257-MMD-CLB are requesting an extension
 27 of twenty-three (23) days to file any dispositive motions in that matter, and so wish to
 28 stagger a requested extension in this matter as to avoid having multiple deadlines fall on
 the same day. As such, Defendants request forty (40) days as to avoid extending the
 deadline to a day where a dispositive motion in another case is scheduled to be filed.

1 increased workload that has occurred within the previous month which have unfortunately
2 resulted in some delays in counsel's normal schedule. Defendants assert that the requisite
3 good cause is present to warrant the requested extension of time.

4 **III. CONCLUSION**

5 Defendants respectfully request this Court extend the deadline for dispositive
6 motion in this matter. Defendants assert the requisite good cause is present to warrant an
7 extension of time. The request is timely. Therefore, the Defendants request additional
8 time, up until **June 9, 2025**, to file dispositive motions in this matter.

9 DATED this 25th day of April, 2025.

10 AARON D. FORD
11 Attorney General

12 By: /s/ Kyle L. Hill
13 KYLE L. HILL, Bar No. 16094
Deputy Attorney General

14 *Attorneys for Defendants*

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17 **ORDER**

18 **IT IS SO ORDERED.**

19 DATED: April 28, 2025

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UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General, State of Nevada and that on this 25th day of April, 2025, I electronically filed the foregoing, **DEFENDANTS' MOTION FOR EXTENSION OF TIME TO FILE MOTION FOR SUMMARY JUDGMENT (First Request)**, via this Court's electronic filing system. Parties that are registered with this Court's electronic filing system will be served electronically. For those parties not registered, service was made by depositing a copy for mailing in the United States Mail, first-class postage prepaid, addressed to the following:

James Edward Scott #1207166
3800 NW 63rd Drive
Gainesville, FL 32606

Connie R. Stoddard
An employee of the
Office of the Attorney General